

2642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of  
Eugene M. Pester  
Assignee: Canoga Perkins Corp.  
Serial No. 09/478,078  
Filed: January 5, 2000  
For: EXPERT CALL ANALYZER AND NEXT GENERATION TELEPHONY  
NETWORK CONFIGURATION SYSTEM

:  
:  
: Examiner:  
: Bing Q. Bui  
:  
: Group Art Unit: 2642  
:

**REVOCATION OF POWER OF ATTORNEY and  
NEW APPOINTMENT OF POWER OF ATTORNEY**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

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OCT 09 2003

Technology Center 2600

To the Commissioner for Patents:

Assignee files herewith a revocation of power of attorney, and a new appointment of power of authority for the above identified application.

Respectfully submitted,

**CERTIFICATE OF MAILING  
UNDER 37 CFR 1.8(a)**

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: OCT. 2, 2003

*Patricia M. Nicholson*

Signature

PATRICIA M. NICHOLSON

Typed or printed name of  
person signing certificate

By:

*Philip O. Post* 02 OCT 03 2003

PHILIP O. POST

USPTO Atty. Registration No. 28,456

INDEL, INC.

Post Office Box 157

Rancocas, New Jersey 08073

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PTO/SB/82 (10-00)

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## REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/478,078
Filing Date	01/05/2000
First Named Inventor	Eugene M. Pester, III
Group Art Unit	2642
Examiner Name	Bing Q. Bui
Attorney Docket Number	023341.P002

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☒ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

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I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

### SIGNATURE of Applicant or Assignee of Record

Name

L. A. Krupnick CANOGA PERKINS CORP. / Corporate Secretary

Signature

Date

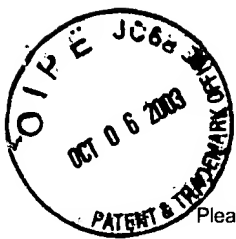
October 1, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	09/478,078
Filing Date	01/05/2000
First Named Inventor	Eugene M. Pester, III
Title	Expert Call Analyzer and Next Generation Telephony Network Configuration System
Group Art Unit	2642
Examiner Name	Bing Q. Bui
Attorney Docket Number	023341.P002

I hereby appoint:

☒ Practitioners at Customer Number  
**OR**

31855

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name

L. A. Krupnick

CANOGA PERKINS CORP. / Corporate Secretary

Signature

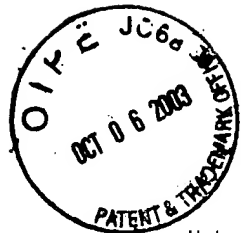
Date

October 1, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Eugene M. Pester, III  
Application No./Patent No.: 09/478,078 Filed/Issue Date: January 5, 2000  
Entitled: Expert Call Analyzer and Next Generation Telephony Network Configuration System  
Canoga Perkins Corp., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012509 Frame 00978, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Eugene M. Pester, III To: Ellipsys Technologies, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 010497, Frame 0962, or for which a copy thereof is attached.
2. From: Ellipsys Technologies, Inc. To: Canoga Perkins Corp.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

October 1, 2003

Date

L. A. Krupnick

Typed or printed name

  
Signature

CANOGA PERKINS CORP. / Corporate Secretary

Title

ASSIGNMENT

WHEREAS, Ellipsys Technologies, Inc., of Santa Cruz, California is the owner of the entire right, title and interest in U.S. Patent No. 5,787,164 for "Switched Network Call Progress Protocol Analyzer" granted July 28, 1998 and (hereinafter, the "Patent"); a pending patent application reference no. 023341.P002 for "Expert Call Analyzer and Next Generation Telephony Network Configuration System" assigned to Ellipsys Technologies, Inc., on December 30, 1999, by the inventor, Eugene M. Pester III (the "Patent Application"); and

WHEREAS, Canoga Perkins Corporation, a California corporation, desires to acquire the entire right, title and interest in, to and under the Patent and the Patent Application together with the good will of the business symbolized by same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for and in consideration of the sum of \$1.00 dollar to Ellipsys Technologies, Inc., in hand paid by Canoga Perkins Corporation and other good and valuable consideration receipt of which is hereby acknowledged, Ellipsys Technologies, Inc. , hereby sells, assigns, transfers and sets over unto Assignee all of its rights, title and interest in and to said Patent and Patent Application and the inventions covered thereby, any patent subject to Re-Examination proceedings, and any and all reissues of patents, including the subject matter of any and all claims which may be obtained in every such patent, the same to be held and enjoyed by the said Canoga Perkins Corporation, its successors, assigns or other legal representatives, for its own use and for the use of its successors, assigns or legal representatives, to end of the term or terms for which said Patents are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by said Ellipsys Technologies, Inc., had this assignment and sale not have been made.

Ellipsys...Technologies, Inc.

Witness:

J. J. Bell 3/31/00

By:

[Signature] 03-31-00  
President

Attorney's Docket

**ASSIGNMENT**

**PATENT**

No.: 023341.P002 (For Execution Prior To Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, I,

the undersigned, Eugene M. Pester III

hereby sell, assign, and transfer to Ellipsys Technologies, Inc.

a corporation of California, having a principal place of business at

320 Encinal Street, Santa Cruz, CA 95060-2101, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that has been executed by the undersigned prior hereto or concurrently herewith on the dates indicated below and is entitled EXPERT CALL

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SYSTEM

and in and to said application and all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original patents, reissued patents, reexamination certificates, and extensions, that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;

agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Each Inventor: Please Sign and Date Below:

<u>12/30/99</u> , 19 <u>99</u>	<u>Eugene M. Pester III</u>
Date	Name: <b>Eugene M. Pester III</b>
_____, 19____	_____ Name:
_____, 19____	_____ Name:
_____, 19____	_____ Name:
_____, 19____	_____ Name:
_____, 19____	_____ Name:

Each Inventor: Please also list the date that you signed the accompanying **DECLARATION AND POWER OF ATTORNEY:**

<u>12/30</u> , 19 <u>99</u>
Date
_____, 19____ Date
_____, 19____ Date
_____, 19____ Date
_____, 19____ Date
_____, 19____ Date

State of: \_\_\_\_\_ }  
County of: \_\_\_\_\_ }

Assignment Document Return Address:  
SS. BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 Wilshire Blvd., Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8598

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, \_\_\_\_\_,  
the undersigned Notary Public, personally appeared \_\_\_\_\_  
[ ] personally known to me [ ] proved to me on the basis of satisfactory evidence to be the  
person(s) whose name(s) \_\_\_\_\_ subscribed to the within instrument, and acknowledged,  
that \_\_\_\_\_ executed it.  
WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature